

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of)
)
U S WEST Communications, Inc. and Rye) AAD-____
Telephone Company, Inc.)
)
Joint Petition for Waiver of the Definition)
of "Study Area" Contained in Part 36,)
Appendix-Glossary of the Commission's)
Rules and Waiver of the Commission's)
Detailed Information Filing Guidelines for)
Part 36 Study Area Waiver Requests)

CC: 96-45

RECEIVED

OCT 15 1999

Federal Communications Commission
Office of Secretary

PETITION FOR WAIVER OF FILING FEE

U S WEST Communications, Inc. ("U S WEST") has agreed to transfer a small service territory within the Pueblo, Colorado exchange to Rye Telephone Company, Inc. ("Rye"). This service territory collectively serves a total of 94 access lines.¹ By separate petition, U S WEST has requested a Part 36 "Study Area" waiver to delete this one small portion of an exchange area from its Colorado study area and Rye has requested a waiver, if needed, to add these 94 access lines to its existing study area. U S WEST and Rye have submitted the \$5,960 filing fee for this waiver petition as required by the Federal Communications Commission's ("Commission") Rules.²

By this petition, U S WEST and Rye request that the Commission waive the

¹ No switching plant is included in this transfer.

² 47 C.F.R. § 1.1105(5)(e).

No. of Copies rec'd 041
List ABCDE

filing fee in this instance as being in the public interest.³ The waiver request at issue here involves only 94 access lines. The petition for waiver fee, if imposed, would equate to approximately \$63 per access line. A waiver of the filing fee in this instance is in the public interest as the fee is significantly disproportionate to the number of access lines involved. Also, imposition of the filing fee would significantly raise the overall costs of this de minimis access line transfer and would be burdensome to the parties, particularly to Rye, a small independent rural telephone company.

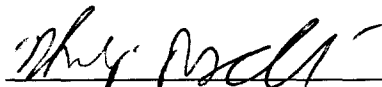
The Commission has the authority to waive the filing fees where the public interest would support such a waiver. The instant situation involving a de minimis transfer of only 94 access lines from U S WEST to Rye is such a case. A waiver of the \$5,960 filing fee is appropriate and warranted.

Respectfully submitted,

U S WEST COMMUNICATIONS, INC.

RYE TELEPHONE COMPANY, INC.

By:



Philip Roselli
Suite 700
1020 19th Street, N.W.
Washington, DC 20036
(303) 672-2887

Its Attorney

By:



Garry Mac Cormack
P.O. Box 19048
Colorado City, CO 81019
(719) 676-3131

President

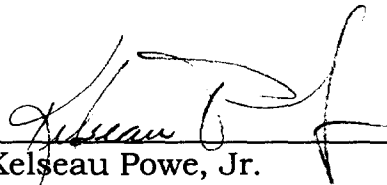
Of Counsel,
Dan L. Poole

October 12, 1999

³ 47 C.F.R. § 1.1116(a), (e).

CERTIFICATE OF SERVICE

I, Kelseau Powe, Jr., do hereby certify that on the 12th day of October, 1999, I have caused a copy of the foregoing **PETITION FOR WAIVER OF FILING FEE** to be served, via first class United States mail, postage prepaid, upon the persons listed on the attached service list.


Kelseau Powe, Jr.

*Served via hand delivery

*William E. Kennard
Federal Communications Commission
8th Floor
Portals II
445 12th Street, S.W.
Washington, DC 20554

*Gloria Tristani
Federal Communications Commission
8th Floor
Portals II
445 12th Street, S.W.
Washington, DC 20554

*Michael K. Powell
Federal Communications Commission
8th Floor
Portals II
445 12th Street, S.W.
Washington, DC 20554

*Harold Furchtgott-Roth
Federal Communications Commission
8th Floor
Portals II
445 12th Street, S.W.
Washington, DC 20554

*Susan P. Ness
Federal Communications Commission
8th Floor
Portals II
445 12th Street, S.W.
Washington, DC 20554

*International Transcription
Services, Inc.
1231 20th Street, N.W.
Washington, DC 20036

Anthony Marquez
Colorado Public Utilities Commission
Office Level 2
1580 Logan Street
Denver, CO 80203

Governor William Owens
Colorado State Government
136 State Capitol Building
Denver, CO 80203

Garry Mac Cormack
Rye Telephone Company, Inc.
POB 19048
Colorado City, CO 81019

AADxxxxa.doc
10/12/99